

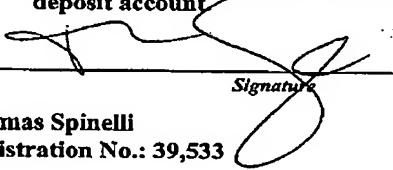


<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. 17378	
In Re Application Of: Hironobu Takizawa, et al.						
Application No. 10/761,962	Filing Date January 21, 2004	Examiner Rene T. Towa	Customer No. 23389	Group Art Unit 3739	Confirmation No. 3889	
Title: <b>DEVICE AND METHOD FOR RETRIEVING MEDICAL CAPSULE</b>						
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450						
<b>37 CFR 1.97(b)</b>						
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.						
<b>37 CFR 1.97(c)</b>						
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:						
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);						
<b>OR</b>						
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).						

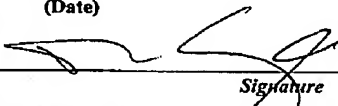
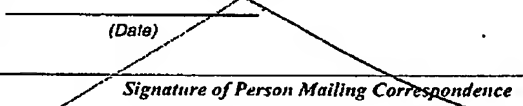
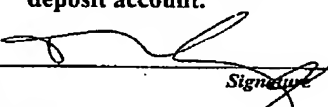
P10A/REV06

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Application No. <b>10/761,962</b>	Filing Date <b>January 21, 2004</b>	Examiner <b>Rene T. Towa</b>	Customer No. <b>23389</b>	Group Art Unit <b>3739</b>	Confirmation No. <b>3889</b>	
Title: <b>DEVICE AND METHOD FOR RETRIEVING MEDICAL CAPSULE</b>						
<div style="text-align: center;"><b>Payment of Fee</b> (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))</div> <div style="display: flex; flex-direction: column; gap: 10px;"><div><input type="checkbox"/> A check in the amount of _____ is attached.</div><div><input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>19-1013/SSMP</u> as described below.<div style="margin-left: 20px;"><input type="checkbox"/> Charge the amount of <input type="checkbox"/> Credit any overpayment. <input type="checkbox"/> Charge any additional fee required.</div></div><div><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</div></div> <div style="margin-top: 10px;"><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"><div style="width: 45%; border: 1px solid black; padding: 5px;"><div style="text-align: center; font-weight: bold; font-size: small;">Certificate of Transmission by Facsimile*</div><p style="font-size: x-small;">I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa571-273-8300)</p><p>4/10/2007 (Date)</p><div style="text-align: center;"> _____ <i>Signature</i></div><p>Thomas Spinelli <i>Typed or Printed Name of Person Signing Certificate</i></p></div><div style="width: 45%; border: 1px solid black; padding: 5px;"><div style="text-align: center; font-weight: bold; font-size: small;">Certificate of Mailing by First Class Mail</div><p style="font-size: x-small;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p><p>_____ (Date)</p><div style="text-align: center;"> _____ <i>Signature of Person Mailing Correspondence</i></div><p>_____ <i>Typed or Printed Name of Person Mailing Certificate</i></p></div></div> <div style="margin-top: 20px;"><div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p><b>*This certificate may only be used if paying by deposit account</b></p><div style="text-align: center;"> _____ <i>Signature</i></div><p><b>Thomas Spinelli</b> <b>Registration No.: 39,533</b></p></div><div style="width: 45%; text-align: right;"><p>Dated: April 10, 2007</p></div></div></div> <div style="margin-top: 20px; padding-top: 10px;"><p>CC:</p></div>						

P10A/REV06

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CC:					

P10A/REV06

APR 10 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Hironobu Takizawa, et al. **Examiner:** Rene T. Towa  
**Serial No:** 10/761,962 **Art Unit:** 3736  
**Filed:** January 21, 2004 **Docket:** 17378  
**For:** DEVICE AND METHOD FOR  
RETRIEVING MEDICAL CAPSULE **Dated:** April 10, 2007  
**Conf. No.:** 3889

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

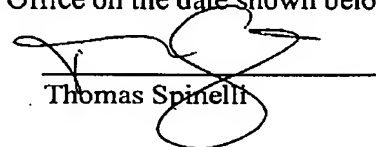
1. U.S. Patent No. 5,941,896, dated August 24, 1999 issued to Kerr; and
2. U.S. Patent No. 6,319,268 B1, dated November 20, 2001 issued to Ambrisco et al.

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**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to facsimile number 571-273-8300 at the U.S. Patent and Trademark Office on the date shown below.

Dated: April 10, 2007

  
Thomas Spinelli

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The references were cited in an Office Action dated December 1, 2006 received from the Australian Patent Office. Applicants are submitting a copy of the Australian Office Action. The relevance of the references is described in the Official Action. In accordance with 37 C.F.R. § 1.98 (a)(2)(i) and (ii), the above-cited references are not enclosed.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,



Thomas Spinelli  
Registration No. 39,533

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343  
TS:cm

**APR 10 2007**

**INFORMATION DISCLOSURE CITATION**  
(Use several sheets if necessary)

Docket Number (Optional) <b>17378</b>	Application Number <b>10/761,962</b>
Applicant(s) <b>Hironobu Takizawa, et al.</b>	
Filing Date <b>January 21, 2004</b>	Group Art Unit <b>3736</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		<b>5,941,896</b>	<b>8/24/1999</b>	<b>Kerr</b>			
		<b>6,319,268 B1</b>	<b>11/20/2001</b>	<b>Ambrisco et al.</b>			

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.